

**Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

In the Matter of:)	
)	
Public Notice on 855 Toll Free Code)	CC Docket No. 95-155
Opening Allocation)	DA 10-1604
)	
)	
)	

**COMMENTS ON PUBLIC NOTICE
ATL COMMUNICATIONS, INC**

ATL Communications, Inc. (ATL) hereby submits comments to the Federal Communications Commission (FCC) on its Public Notice, CC Docket No. 95-155. ATL is a Responsible Organization (RespOrg) and active in the SNAC committee and has been following the plans for the 855 code opening for more than a year.

BACKGROUND

ATL is one of the oldest and among the largest of the RespOrgs. ATL became a RespOrg on the first day in 1993. We are unusual because we are an independent RespOrg meaning we are not a carrier of any kind. Our 250 customers, carriers, resellers, end-user, and consultants, range from Fortune 500 companies to small end-users. This has provided ATL with a wide range of input from customers on their needs in the 855 code opening.

DISCUSSION

ATL has been through three code openings and one prefix opening. Our first experience was with 800-555. That experience set the stage for all subsequent openings. Within minutes of the prefix opening nearly all the numbers had been reserved by one large carrier. Although there

was little disagreement that this was a fact, and who the carrier was, no action was taken by the FCC, DSMI, or SMT.

For the next three code openings there were clearly winners and losers. Smaller RespOrgs without expensive systems were able to get some of their customers requested numbers, for instance a few XXX-XXX-0000 numbers, but they were shut out for any other of the most popular vanity numbers. ATL informed our customers that it was unlikely we would get any of the prime vanity numbers, and in the end that was right.

Since the 855 code opening was announced ATL has taken pre-reservation orders from our customers. What we have found is that for most of our customers, the 855 code opening is not a big event, and the requests are far fewer than in past openings. ATL does have customers that want vanity numbers, and even though ATL now has access to more sophisticated systems, we have let our customers know that we are still not likely to get these numbers.

The reason we are not anticipating getting these numbers is things have gotten worse since the 866 opening. The desire for specific numbers by a few RespOrgs and the lengths they will go to get them has made the process of simultaneous release of numbers in a code inherently a process that can be abused. The FCC need only to look at examples occurring in the last few months.

- A few weeks ago a RespOrg could not get valid emergency carrier changes through SMS because SMS processing was so seriously backed-up with tens of thousands of requests lined up for vanity numbers. This was in the early morning hours; a time that most RespOrgs previously used for large updates in order not to disrupt normal daily SMS work.
- Companies are ordering numerous logons, not because they need them for their daily business, but to flood the system with vanity requests.
- 800 numbers are no longer available to customers that have been waiting months for them because a couple of companies take them within seconds of the number becoming spare.
- A few other companies NASC a number before they become spare, clearly bypassing the rights of the end user (the company that had the number when it was disconnected).

It is for these reasons that ATL now supports an offline system to fairly distribute the numbers. We do not support any on-line, gold-rush system. The details of this could be worked out by SNAC and the FCC, but basically it would work similarly to the "Randomized Round Robin" system described in the Vanity International comment of September 3, 2010. This would accomplish at least two positive outcomes.

1. There would be no system overload on October 2, 2010.
2. DSMI would not have to find some option agreeable to "The Toll Free Coalition." Frankly, I don't think that anything DSMI could do would alleviate the concerns expressed in that filing.

CONCLUSION

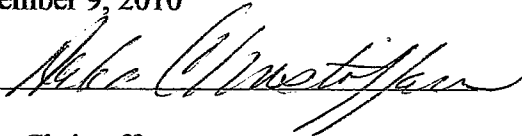
For the past few years toll free numbers have continued to become harder to reserve for those companies that follow the FCC's rules. It is clear that the 855 code opening is preparing to be a good example of just how unbalanced the access to numbers has become. Therefore the code cannot be opened in the same manner as the last three.

Therefore I support suspending the October 2, 2010 planned code opening and immediately start work on an offline system that will truly be fair to all RespOrgs.

Respectfully Submitted

September 9, 2010

By:



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